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and Resource Recovery Corporation

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF WYOMING**

In Re:

DENNIS MEYER DANZIK,
xxx-xx-1786

Debtor.

Case No. 17-20934
Chapter 11

NOTICE OF DETERMINATION BY NEW YORK COURT

Creditors CWT Canada II Limited Partnership (“CWT Canada”) and Resource Recovery Corporation (“RRC”) (the “CWT Parties”) submit this Notice of Determination by New York Court (the “Notice”) and state as follows:

1. On October 24, 2018, the CWT Parties filed their *Motion to Dismiss*. [Doc. 180.]

2. On November 13, 2018, Debtor filed *Debtor's Response to Motion to Dismiss of the CWT Parties*. [Doc. 184.]

3. On November 15, 2018, the CWT Parties filed their *Reply to Debtor's Response to Motion to Dismiss*. [Doc. 186.]

4. On November 20, 2018, the Court held an evidentiary hearing on the Motion to Dismiss.

5. On December 4, 2018, the Court entered a minute order on the Motion to Dismiss indicating that the Court took the matter under advisement. [Doc. 197.]

6. As a part of the proceedings on the Motion to Dismiss, the Court was advised that Danzik was presently seeking relief from judgment through a motion to vacate judgment in New York Court. Accordingly, the CWT Parties understood that the Court was waiting to rule on the Motion to Dismiss until the New York Court ruled on Danzik's motion to vacate judgment.

7. On February 4, 2019, the Supreme Court of the State of New York for New York County entered a ruling on Danzik's motion to vacate judgment, which is attached as Exhibit A (the "Decision & Order").

8. The CWT Parties file this Notice to advise the Court that the New York Court has denied Danzik's motion to vacate judgment. Decision & Order at 13 ("[T]he RDX Parties' motion to vacate the judgment is denied.").

9. Further, the CWT parties request that the Court schedule a status conference in the main bankruptcy case to address the effect of the New York Court decision on these proceedings.

10. **WHEREFORE**, the CWT Parties hereby respectfully request that the Court set a status conference to address the New York Court decision.

Dated: Cheyenne, Wyoming
February 5, 2019

Respectively submitted,
**CWT Canada II Limited Partnership and
Resource Recovery Corporation, Creditors
and Movants**

By: /s/ Bradley T. Hunsicker
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on February 5, *electronically*, via the Court's CM/ECF system upon the following parties who have entered their appearance in the above-captioned matter.

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/s/ Bradley T. Hunsicker
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